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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/955,101	09/19/2001	Hiroataka Sakai	213975US2X	9579
22850	7590	02/11/2004	EXAMINER	
OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314			LUK, LAWRENCE W	
			ART UNIT	PAPER NUMBER
			2838	

DATE MAILED: 02/11/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/955,101	SAKAI ET AL.	
	Examiner	Art Unit	
	Lawrence W Luk	2838	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 November 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3-5,7,11,12 and 18-20 is/are rejected.
- 7) ☒ Claim(s) 2,6,8-10,13-17,21 and 22 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 3-5, 7, 11, and 12 are rejected under 35 U.S.C. 102(b) as being anticipated by Letchak et al. (5,661,463).

The rejection mailed 7/24/03 is maintained for reasons of record.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 18-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Letchak et al. (5,661,463) in combination with Powell et al. (4,719,550).

The rejection mailed 7/24/03 is maintained for reasons of record.

Response to Arguments

5. Applicant's arguments filed 11/10/03 have been fully considered but they are not persuasive. There is no amendment filed with this case. Response to arguments are as follows:

A. In re claim 1, Applicant asserts that Letchak et al. fails to teach a communication means for notifying an electronic device supplied with power from a rechargeable battery upon a service interruption with information detected by a battery state monitoring unit. Letchak et al. does teach a communication means for notifying an electronic device supplied with power from a rechargeable battery upon a service interruption with information detected by a battery state monitoring unit. The AMR reports alarm messages to a remote operations center via the DAMS. In addition to Col. 1, line 10 to col. 2, line 10 and col. 7, lines 2-67; see also col. 4, lines 38-50.

B. In re claim 3, Applicant asserts that Letchak et al. does not teach the temperature information for determination of a fully charged state. Letchak et al. does teach the temperature information for determination of a fully charged state. The language in col. 5, lines 55-59 encompasses this limitation. The temperature sensor module **18** is an integral AMR feature and its input data is used to define the expected and actual state of operation of the monitored battery plant.

C. In re claim 4, Applicant asserts that Letchak et al. fails to teach the detected temperature information is provided to the electronic device. Letchak et al. does teach the detected temperature information is provided to the electronic device. See again col. 5, lines 55-59 in addition to col. 5, lines 19-39.

D. In re claim 5, Applicant asserts that Letchak et al. does not teach a charging control for controlling charging of the rechargeable battery cells in accordance with a battery voltage and/or a battery temperature of the rechargeable battery cells as detected.

Letchak et al. does teach a charging control for controlling charging of the rechargeable battery cells in accordance with a battery voltage and/or a battery temperature of the rechargeable battery cells as detected. It is the microcontroller module 50 in col. 5, lines 24-30.

E. In re claim 7, Applicant asserts that Letchak et al. does not clearly show a “power supply unit” and therefore does not monitor a state of the power supply unit. This is incorrect since the power detect module 12 is connected or bridged to the standard commercial A.C. source 40 which is the power supply unit. The entire system of the components in Fig. 1 is the battery plant that is monitored by 12.

F. In re claims 11 and 12, Applicant asserts that Letchak et al. does not detect an interruption of AC power. Letchak et al. does disclose detecting an interruption of AC power as explained above in argument A. The AMR in Letchak et al. monitors all states of the battery, including AC power interruption, and relays the information to the DAMS. See again col. 5, lines 19-27 and col. 8, lines 1-2.

G. In re claims 18 and 19, Applicant asserts that Powell et al. does not clearly disclose “incorporating a fan in a housing.” The claimed fans 12, 25, and 35 are incorporated in

housing 11 in Fig. 1. The fan **306** of Powell et al. in Fig. 10B is depicted in a housing in Fig. 8, as described in col. 5, lines 33-50, therefore, Powell et al. clearly discloses the fan is incorporated in a housing.

Allowable Subject Matter

2. Claims 2, 6, 8-10, 13-17, 21, 22 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lawrence W Luk whose telephone number is (571)272-2080. The examiner can normally be reached on 7 a.m. to 5 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Sherry can be reached on (571)272-2084. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

LWL
February 5, 2004

Lawrence Luk
examiner
2/5/04